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EXAMINER

B3M1/1023

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SHAH, A

ART UNIT PAPER NUMBER

2302

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DATE MAILED: 10/23/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 11/22/96 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire three (3) month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- ☒ Notice of References Cited by Examiner, PTO-892.
- ☒ Notice re Patent Drawing, PTO-948.
- ☐ Notice of Art Cited by Applicant, PTO-1449.
- ☐ Notice of Informal Patent Application, Form PTO-152.
- ☐ Information on How to Effect Drawing Changes, PTO-1474.
- ☐

Part II SUMMARY OF ACTION

- ☒ Claims 62-70 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
- ☒ Claims 1-61 have been cancelled.
- ☐ Claims _____ are allowed.
- ☒ Claims 62-70 are rejected.
- ☐ Claims _____ are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.
- ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- ☐ Formal drawings are required in response to this Office action.
- ☒ The ~~submitted~~ drawings have been received on 11/22/96. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable ☒ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
- ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
- ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
- ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
- ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- ☒ ~~Other~~ See attached office action

EXAMINER'S ACTION

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15. Claims 62-70 are presented for examination.

16. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

17. Applicant is reminded of the provisions of MPEP 608.02 (q) and (r) regarding a separate letter to the Chief draftsman.

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

19(a). Claims 62-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alsup (USPN: 4,893,267).

20. Alsup et al disclose a method for processing unified streams of media data comprising the steps of: (1) receiving a stream of unified media data including presentation, transmission and

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storage information, and (2) dynamically partitioning the ~~united~~^{unified} stream of media data into component fields of at least one bit based on the elemental symbol size of the received data. [see abstract, column 2, (lines 23-46), and column 2 (line 57) - column 3 (line 37)].

21. Alsup did not explicitly give details about processing the media data at substantially peak rate. However, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the Alsup's system such that the media data is processed at substantially peak rate because it would have allowed the system to process the media data at much higher data rate based on the system requirements, thereby increasing the overall media data processing rate of the system and hence increase the overall performance of the system.

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakagawa et al (PN: 5,426,600).

Mason et al (PN: 5,268,855).

Daniel et al (PN: 5,201,056).

Freerksen (PN: 4,975,868).

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alpesh M. Shah whose telephone number is (703) 305-9698. The examiner can normally be reached on Mon.-Fri. from 7:30 am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alyssa H. Bowler, can be reached on (703) 305-9702. The fax phone number for this Group is (703) 308-5358.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Alpesh
ALPESH M. SHAH
PATENT EXAMINER
GROUP 2300

A.M. Shah/kw